



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2005 Wisconsin Act 477**  
[2005 Senate Bill 681]

**Impact Fees**

*Current law* permits a city, village, town, or county to impose an impact fee on a developer to pay the capital costs to construct certain public facilities that are necessary to accommodate land development. Such public facilities include highways; facilities for treating sewage, storm waters, and surface waters; facilities for pumping, storing, and distributing water; parks, playgrounds, and other recreational facilities; fire protection, emergency medical, and law enforcement facilities; and libraries.

*2005 Wisconsin Act 477* eliminates counties from the governmental entities that may impose impact fees and deletes “other recreational facilities” from the list of approved public facilities for which municipalities may levy impact fees. The Act requires that the revenue and expenditure totals for each impact fee imposed by a municipality be reported in the annual municipal budget summary. Municipalities must establish separate accounts for impact fee revenues.

The Act also prohibits municipalities or counties from levying fees or charges as a condition of approval of a development under ch. 236, Stats. (plat approvals), and requires any public improvement required by a municipality or county as a condition of approval under this chapter to bear a rational relationship to a need resulting from the applied for subdivision or other division of land.

*Effective Date:* June 14, 2006.

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DWS:wu

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.